Lecture 4. Labor protection legislation

4.1. Legal and organizational issues of labor protection

Legal issues of labor protection are determined on the basis of normative and legal acts included in the labor legislation system of the Republic of Azerbaijan.

The labor legislation system of the Republic of Azerbaijan consists of the Constitution of the Republic of Azerbaijan and the Labor Code of the Republic of Azerbaijan, normative and legal acts adopted by the relevant executive bodies within the framework of their powers, and international treaties concluded or ratified by the Republic of Azerbaijan related to labor and socio-economic issues.

The Constitution of the Republic of Azerbaijan, along with the basic rights and obligations of citizens of the Republic, also legislates requirements for labor protection.

According to the Constitution, the State of Azerbaijan takes care of improving working conditions and labor protection, its scientific organization, and reducing and then completely eliminating heavy physical labor in all economic sectors on the basis of complex mechanization and automation of production processes.

According to the Constitution of the Republic of Azerbaijan, citizens of the Republic have the right to labor, that is, the right to secure employment with a salary not lower than the minimum amount established by the state, as well as the right to choose a type of professional occupation and work in accordance with their desire, abilities, professional training, and education.

This right is ensured through the constant increase in the productive forces, free professional training, improvement of labor qualifications and training in new specialties, and the development of guidance and job placement systems in choosing a profession.

The second section of the Constitution of the Republic of Azerbaijan stipulates the establishment of a working week of no more than 40 hours for workers and employees, a shortened working day for a number of professions and industries, a reduction in night work hours, the provision of annual paid leave, and weekly days off. It also reflects the requirements for expanding the network of cultural, educational and health institutions, developing mass sports, physical education and tourism, creating favorable opportunities for recreation and other conditions for the effective use of leisure time in the place of residence, providing free medical care, expanding the network of institutions that treat citizens and strengthen their health, developing and improving safety techniques and industrial sanitation, measures to improve the environment, and prohibiting child labor unrelated to training and labor education.

The Labor Code of the Republic of Azerbaijan regulates labor relations between employees and employers, as well as other legal relations arising from these relations between them, relevant state authorities, and legal entities, and establishes minimum norms of labor rights of individuals and rules ensuring the implementation of these rights.

The Labor Code of the Republic of Azerbaijan ensures the equality of rights of the parties in labor relations; protects their interests with justice and ensuring the rule of law; Ensuring the free use of mental, physical and financial resources in order to meet material, moral, social, economic and other life needs; mainly based on the principles of creating legal guarantees for the implementation of obligations under the employment contract.

The norms regulating the rights and obligations of employees, employers, and relevant state authorities in the field of establishment, change, termination of labor relations and protection of the rights of participants in these relations in accordance with international treaties concluded or ratified by the Republic of Azerbaijan, conventions of the International Labor Organization, and other international legal norms are established in the Labor Code.

In order to ensure the uniform implementation of labor protection rules everywhere, the application of the features of working conditions, the right to additional leave, and other norms in cases specified by the Labor Code, the Cabinet of Ministers of the Republic of Azerbaijan approves unified lists. These include lists of productions and workplaces with difficult working conditions, dangerous and harmful to the human body, underground productions, mines, tunnels, facilities, and other workplaces, equipment, facilities, and workplaces requiring high sensitivity, mental and physical stress of the employee. The Cabinet of Ministers also approved the lists of productions where the use of women and workers under the age of 18 is prohibited, chemical, radioactive and other highly hazardous substances are prohibited, and workplaces with a high probability of contracting occupational diseases.

The unified state policy on labor protection is implemented by the Ministry of Labor and Social Protection of the Population of the Republic of Azerbaijan. This ministry develops and implements a unified state policy in the field of labor protection, determines the tasks of other ministries, state committees, concerns, companies and departments in the field of improving labor conditions and ensuring labor protection, coordinates and controls their activities in the field of ensuring healthy and safe working conditions, approves programs for improving labor conditions and labor protection, organizes and ensures their implementation.

Ministries, state committees and departments of the Republic of Azerbaijan, as well as state concerns, companies and associations, within their powers, with the participation of trade union organizations, employers, representative bodies, determine the main directions of the implementation of state policy in the field of labor protection in relevant workplaces and implement the measures envisaged in this area, develop sectoral standards, norms, rules, regulatory legal acts on labor protection and ensure their approval in the established manner.

Municipal bodies ensure the implementation of state policy in the field of labor protection in the territory under their jurisdiction. They develop and implement inter-sectoral local programs on labor protection. In order to solve regional problems and provide assistance to owners in ensuring labor protection, they create special-purpose funds for labor protection at the expense of their share participation and other funds in accordance with the procedure established by legislation and spend the funds of these funds for their intended purpose.

4.2. Basic principles of labor protection and guarantee of the rights of the employee

The basic principles of ensuring labor protection by state authorities, owners, employers and employees consist of the activities of state authorities, owners, employers aimed at improving the working conditions and labor protection of employees, preventing industrial accidents, injuries, damages and occupational diseases; prioritizing the life and health of the employee over the results of the enterprise's production activities; establishing uniform requirements in the field of labor protection for all enterprises and monitoring them; encouraging employers who make extensive use of universal scientific and technical progress and advanced experience, as well as developing and applying effective means of protection of safety equipment and technology, with appropriate rules and means, as well as regular improvement of labor protection standards.

Providing employees with personal protective equipment, treatment and preventive measures, food and other means free of charge; training of labor protection specialists in educational institutions; mandatory investigation, recording, analysis of each accident that occurred in production and, on this basis, providing employees with accurate information about the state of industrial injuries, damages and occupational diseases; social, material and moral protection of the interests of employees who have suffered from industrial accidents or have contracted occupational diseases; comprehensive assistance to the activities of trade unions, enterprises and individual individuals and

legal entities aimed at ensuring labor protection; issues of expanding international cooperation in the field of labor protection are also included in the basic principles of labor protection.

The terms of concluding an employment contract between an employer and an employee must comply with the requirements of labor protection standards established by the Labor Code. The employment contract must necessarily indicate the employer's obligation to ensure healthy and safe working conditions for the employee. Even when an employee is hired for a job with a high risk of contracting an occupational disease, the employer must notify him of the probable duration of the illness. In this case, a fixed-term employment contract limited to that period must be concluded, and after its expiration, the employee must be given another job, provided that the previous average wage is maintained.

Employees working in jobs with a high risk of life must be insured by the employer against accidents at work and occupational diseases.

When concluding an employment contract with employees in heavy, harmful and dangerous industries, they must undergo an initial medical examination and then periodic mandatory medical examinations at the employer's expense.

During the period when work is suspended as a result of a violation of labor protection rules at enterprises or directly at workplaces through no fault of the employees, their workplace, position and average wage are maintained.

If the employer does not provide safe working conditions and there is a threat to the employee's health or life in this regard, the employee may refuse to perform his labor function. In this case, the employee does not bear any responsibility and the labor dispute is resolved in the prescribed manner.

The employer is obliged to temporarily or permanently transfer employees who need to work in lighter work due to their health to a lighter job, in accordance with their medical opinion, with their consent.

In order to ensure the protection of their health, an employee may be transferred to a lighter job that does not adversely affect their health and has a lower salary than the previous one. In this case, the average salary for the employee's previous job is maintained for one month from the date of transfer to lighter work.

Employees who have lost their ability to work as a result of an accident at work or have contracted an occupational disease and who are temporarily transferred to lighter work based on the opinion of the Medical and Social Expert Commission are paid the difference between their previous salary and the salary at the new job. This difference must be paid until the employee's ability to work is restored or until disability is determined.

If healthy and safe labor protection conditions are not provided at the workplaces of employees and the measures provided for in collective agreements are not implemented, the employer is brought to administrative and criminal liability in the cases and in the manner prescribed by the legislation.

“The State Agency for Safe Work in Industry and Mining Supervision of the Ministry of Emergency Situations of the Republic of Azerbaijan” has the right to impose administrative fines on employers in cases of consistent violations of the rules, norms and instructions for the safe performance of work at industrial facilities under its control.

An employer who is at fault for an accident or occupational disease at work must fully compensate the employee for the damage caused by the injury or other deterioration of his health, as well as for the expenses incurred by the social insurance authorities in connection with the provision of pensions and benefits.

Employees whose health has been impaired as a result of an accident at work or an occupational disease that occurred due to the fault of the employer, as well as family members of

employees who died as a result of this and other dependents, must be paid appropriate compensation for the damage caused in accordance with the procedure established by legislation. The rules, conditions and amount of these payments are determined by the rules approved by the Cabinet of Ministers.

4.3. Labor protection rules, standards and instructions

Labor protection rules are divided into three groups according to their scope of influence:

- unified state rules;
- inter-sectoral rules;
- sectoral rules.

Unified state rules apply to all sectors of the economy. They determine the basic requirements for the structure and operation of each industrial facility. Rules on working hours, working conditions of women and adolescents, planning of labor protection measures, investigation and accounting of accidents are unified state rules. Construction norms and rules, sanitary norms for the development of projects of industrial enterprises also belong to unified state rules and norms.

Inter-sectoral rules are rules covering individual production operations and equipment found in several different sectors of the economy. For example, unified safety rules during blasting operations, rules for the construction and safe operation of lifting cranes, safety rules during the operation of electrical installations belong to inter-sectoral rules.

Sectoral rules are rules that apply only to individual economic sectors and take into account their specific characteristics and working conditions that differ from other sectors. For example, safety rules in the oil and gas industry belong to sectoral rules.

In accordance with the labor legislation of the republic, labor protection rules, rules that are uniform for all economic sectors or inter-sectoral rules are developed by the Cabinet of Ministers of the Republic of Azerbaijan or other state bodies on its instructions together with trade unions and approved with their consent.

Labor protection rules for sectors are approved by ministries, departments, state control bodies together with the central committees of the relevant trade unions or with their consent.

Labor protection instructions are developed and approved by the management of the enterprise, department, organization together with the local committee of the trade union of the company, factory.

In accordance with the republican labor legislation, ministries and departments may develop and approve uniform instructions on labor protection for employees working in key professions with the consent of the central committees of trade unions and, if necessary, the relevant state control bodies.

Along with the rules and norms on labor protection, a system of standards on labor safety operates. These standards may be in the form of state standards, sectoral standards and republican standards.

The following classes of standards exist:

1 - standards on general requirements and norms for types of hazardous and harmful production factors;

2 - standards on general safety requirements for production equipment;

3 - standards on general safety requirements for production processes;

4 - standards on requirements for means of protecting workers.

It should be noted that the standard on occupational health and safety (OHS) was first developed internationally in 1996 by the British Standards Institute (BSI) under the name “BS8800 - Occupational Health and Safety Management System Guide”. However, since this Standard could not be fully applied to other organizations engaged in certification, OHSAS 18001 (Occupational

Health and Safety Assessment Series) “Occupational Health and Safety Management System” was adopted in 1999 by the decision of a joint commission organized with the participation of England, Japan, Ireland and other influential countries. This standard was adopted by the Turkish Standards Institute and is currently called the TS 18001:2008 standard.

Currently, a number of enterprises in Azerbaijan have certificates of the TS 18001:2008 “Occupational Health and Safety Management System” international standard.

The owner and employer of the enterprise are directly responsible for the implementation of labor protection norms and rules at the workplaces of employees. They must ensure compliance with all requirements of labor protection standards, norms and rules and compliance of healthy sanitary and hygienic conditions and labor protection of workplaces with applicable regulations.

The employer organizes control over healthy and safe working conditions, dangerous and harmful production factors and regularly and timely informs employees about changes in this area.

The employer develops and implements a plan of prospective and annual measures aimed at improving working conditions, ensuring labor protection and protecting the health of employees.

The employer must periodically conduct attestation of workplaces for compliance with labor protection norms and rules with labor protection norms and rules with the participation of the trade union organization. He must inform the labor collective about the results of the attestation.

4.4. General requirements of labor safety standards for production processes and equipment

The standard on general safety requirements for production processes provides for complex measures to ensure the safety of processes. These measures are reflected in the issues resolved when organizing the production process.

When developing and implementing projects of technological processes, the following requirements should be taken into account:

- workers should not be in direct contact with raw materials, materials, finished products and production waste that can have a harmful effect;
- technological processes and operations characterized by the emergence of dangerous and harmful production factors should be replaced by processes and operations that are not characterized by these factors;
- technological processes and operations that create dangerous and harmful production factors should be comprehensively mechanized, automated and remotely controlled;
- it should be possible to receive information on dangerous and harmful production factors arising in individual technological operations in a timely manner;
- control and management systems for the technological process that ensure the protection of workers and the safe operation of production equipment should be applied;
- workers should have the opportunity to use collective protective equipment;
- work and rest time should be organized efficiently in order to prevent monotony and hypodynamia, limit the workload;
- production waste that creates dangerous and harmful production factors should be removed and neutralized in a timely manner.

If it is necessary to use materials that may have a harmful effect on workers in the production process, then workers' protective equipment must be used.

The application of workers' protective equipment should ensure the removal of dangerous and harmful substances from the work zone and the reduction of actual levels of harmful factors to a level in accordance with sanitary standards. These means should also protect workers from the effects of

dangerous and harmful factors that arise during the course of the technological process or violations arising in it.

The standard on general safety requirements for production equipment indicates a set of measures that should ensure labor safety during its installation, operation, repair, transportation and storage, regardless of whether it is used separately or as part of a technological system.

The design of production equipment must ensure the elimination of noise, ultrasound, and infrasound or the reduction of their actual levels to acceptable levels.

The safety of production equipment should be ensured when designing it by taking into account the following:

- the correct selection of the working principle, structural schemes, safety elements of the structure;
- the application of mechanization, automation and remote control systems in the structure;
- the use of protective equipment in the structure,
- the fulfillment of ergonomic requirements;
- the inclusion of safety requirements in technical documentation.

Production equipment should not create dangerous situations when exposed to moisture, solar radiation, mechanical vibration, wind and other external influences.

The materials used in the manufacture of production equipment should be safe and harmless. New substances and materials that have not passed hygienic inspections and fire safety tests should not be used.

Components of production equipment (including pipes, cables and similar parts) should be designed in such a way that they do not create dangerous situations in the event of accidental damage. Production equipment should be fire and explosion-proof.

If moving parts of production equipment create a dangerous situation for people, they must be fenced off or equipped with other protective devices. If this is not technically possible, the equipment must be equipped with signaling devices that warn of starting and systems that stop work in case of danger.

The amount of heat released (or absorbed) by production equipment, as well as the amount of harmful substances and moisture, must not cause them to exceed the permissible norm in the work zone. Production equipment must be equipped with a special device for removing harmful, explosive and fire hazardous substances released in the work process from the places of direct release, and a special place must be provided for connecting this device. Special devices are provided for the use of hazardous and harmful waste materials, for their neutralization. Separate discharge lines must be established for the transportation of substances whose joint discharge is not allowed. The design of production equipment must provide for measures of protection against electric current that meet the requirements of electrical safety regulations.

The control systems of production equipment must be implemented in such a way that dangerous situations do not arise during the joint operation of functional systems. The design of the equipment should include systems for signaling the violation of its normal operating mode, and in urgent cases, for automatic shutdown or opening from the power source in case of an emergency.

The working bodies of the production equipment (as well as gripping, clamping and lifting devices) should be provided with means that eliminate the danger when the power supply to them is cut off (electric current, liquid to hydraulic systems, compressed air to pneumatic systems, etc.). When the power supply is restored, the spontaneous start-up of these working bodies should be prevented.

An opening device should be provided in the electrical circuit of the production equipment so that this device can centrally open all electrical circuits from the power supply network.

Workplaces included in the design of the production equipment should be safe and comfortable for work. The design of the equipment should be equipped with a local lighting system appropriate to the conditions in which it is operated.

In special cases, cabins are provided to protect workers from the negative effects of external conditions.

In addition to the general safety measures listed above, it is necessary to implement safety requirements that take into account the specific characteristics of each production equipment.

4.5. Conducting occupational safety training

Regardless of the nature, complexity and degree of safety of production, as well as the employee's work experience, education and qualification, workers, employees and engineering and technical personnel in all enterprises and production associations must be trained in safe work methods.

Newly hired workers and employees are instructed in safe work practices in order to familiarize them with general safety rules and norms, the main provisions of labor legislation, internal labor discipline rules, rules of conduct on the territory of the enterprise, in workshops, on sites, on ships, on offshore platforms, piers, drilling rigs, in helicopters, with the characteristics of dangerous and harmful production factors, and other issues.

The instruction conducted with workers and employees is divided into introductory and on-the-job instruction according to its nature and time. On-the-job instruction, in turn, is divided into initial, periodic (repeated), extraordinary (unscheduled) and one-time (current) instruction.

Introductory instruction. All workers and employees hired at the enterprise must undergo an induction training, regardless of their education, specialty, professional and job experience.

An induction training must be conducted with workers seconded to the enterprise, temporary workers, students who come to work as part of a student construction team for industrial training and practice, and other persons admitted to the enterprise's territory and production workshops to carry out work.

An induction training of workers and employees is conducted by one of the employees of the labor safety service or another engineer-technical employee of the enterprise assigned this duty, as well as a person specially appointed for this purpose by the higher organization (if it is necessary to conduct an induction training for several enterprise workers at once). When a worker is hired directly to the workshop, one of the workshop managers (chief or his deputy) conducts an induction training with him.

For a complete and clear explanation of the instructions on individual issues (internal labor discipline, fire safety, industrial sanitation, rules for providing first aid to victims in the event of an accident), employees of the relevant departments and services of the enterprise, as well as specialists from other organizations, should be involved.

Induction instruction with workers and employees is carried out according to a program developed by employees of the labor safety, personnel, labor organization, and payroll departments and a lawyer and is approved by the chief engineer of the enterprise in agreement with the Trade Union Committee.

To make the instruction more effective, it is advisable to draw up a sample text of the introductory instruction according to the program.

The introductory instruction program is developed taking into account the characteristics of production, safety rules and norms, and the requirements of standards.

Induction instruction is carried out in a labor protection office or in a specially organized room, using modern technical means and taking into account the specific conditions of the enterprise.

This instruction is carried out in full for a group of workers of the same profession, as well as for individual employees of different qualifications and professions.

Introductory instruction is carried out with workers and employees hired for work with dangerous and harmful working conditions, work related to servicing complex equipment and mechanisms (electrical installations, vehicles, etc.), after they have passed a medical examination (in cases provided for) and have a doctor's opinion that they are fit for work due to their health.

Conducting instruction at the workplace. In addition to introductory instruction, instruction at the workplace should be carried out with workers and employees, regardless of their education, qualification, profession or length of service in the position they hold.

All workers and employees who are hired or transferred from one unit (workshop) to another (regardless of the duration of the transfer), sent from one job to another or to a different type of work area (in cases of changing production conditions), employees who are seconded to an enterprise with a new job assignment, employees who have come to undergo production training or experience, as well as other employees who are allowed to the territory of the enterprise or workshops to perform various works, are given workplace instructions.

The purpose of conducting workplace instructions is to familiarize each worker and employee with the basic rules of safe work methods, to increase, refresh and strengthen the knowledge of workers on safety requirements.

In the process of workplace instruction, the following should be explained to workers and employees:

- their main duties and rules of conduct at the workplace, in the territory of the enterprise, in the workshop, on the offshore platform, on the ship and other facilities, the content of the instructions on labor safety for their professions;
- rules for maintaining the workplace in a safe condition during the production process and after the end of working hours, cleaning it from unnecessary items;
- general information about the production process and the equipment, mechanisms and devices used;
- safety requirements when servicing equipment, mechanisms and machines (dangerous zones, protective, fencing and sealing devices, automatic control and signaling devices, other protective equipment):
- rules for preparing, organizing and maintaining workplaces, checking the serviceability of equipment, devices, devices, tools and devices, blocking, grounding and other protective equipment;
- safe working methods, measures to prevent and eliminate the possibility of accidents;
- personal protective equipment, rules for their application and use;
- rules for using and maintaining fire extinguishing agents in the workplace, workshop, on offshore platforms, offshore drilling rigs and other production facilities, and fire safety rules in general;
- rules and methods for providing first aid (before a doctor) in the event of an accident.

Conducting training at the workplace with workers is directly assigned to the foreman (work supervisor), and conducting training with employees is entrusted to the heads of the shop, department, and facility. The person conducting the training must show the workers and employees all dangerous areas, devices and equipment at the workplace, familiarize them with the safe and proper organization of workplaces, methods of safe work performance, and draw the attention of employees to the fact that the use of dangerous work methods or tools that may cause injury to people around them is not allowed.

Initial training. Initial training at the workplace with workers is carried out before they are released to work, in cases where they are transferred from one job to another or to another specialized work area (when production conditions change).

Initial training with workers is carried out over several shifts, depending on the nature of the work, they are familiarized with production processes and safe work methods.

The foreman, the work supervisor must ensure that the worker, after completing the instruction, has mastered safe working methods, has practical knowledge of the safety requirements and instructions specific to his specific workplace and profession.

In special cases, in addition to initial instruction, workers whose work is related to the maintenance, testing, adjustment, repair of equipment, and the use of particularly dangerous and harmful substances must be instructed directly at the workplace before being allowed to work independently.

Depending on the professional training of the trained worker and the nature of his work, the necessity and duration of his internship are determined by the enterprise management in agreement with the Trade Union Committee.

The list of professions for which internship is required is agreed with the Trade Union Committee and local supervisory bodies, and approved by the enterprise management.

Periodic (repeated) instruction. All workers and some categories of employees, regardless of their education, qualification, length of service in this or that profession and position held, should be periodically instructed in the safe conduct of work, every 3 months (no later than 6 months).

Periodic instruction is conducted with workers both individually and with a group of workers of the same profession. The foreman, work supervisor conducts instruction with workers servicing and repairing electrical installations and equipment together with the chief power engineer and chief mechanical service personnel.

During periodic instruction, workers are also taught the rules for using protection, rescue and protective equipment, rescuing those who have fallen into the water, providing assistance to the injured, and moving around marine facilities.

Unscheduled (unscheduled) instruction. In special cases arising from production necessity, workers should be instructed in the safe conduct of work.

Unscheduled training of workers is carried out in the following cases:

- when the production process (technological) changes, when equipment, devices and tools are replaced with new ones or when working conditions change as a result of their improvement;
- when an accident or incident occurs at the enterprise, workshop, site, or brigade;
- in cases of interruption of work requiring high levels of safety measures for more than 30 calendar days;
- in cases of violation of safety regulations and instructions by workers to an extent that may lead to accidents or incidents;
- when it is necessary to inform workers about additional requirements in connection with the entry into force of new rules and instructions and standards on occupational safety;
- by order or decree of the enterprise management, by order of higher organizations and state control bodies, and in other cases.

Unscheduled training is carried out with workers individually or with a group of workers of the same profession.

Unscheduled instruction with workers, as well as initial and periodic instructions, is conducted by the direct supervisors of the works (work executors, foremen, etc.).

One-time (current) instruction. All workers must undergo one-time instruction when receiving an assignment (task - permission) to perform one-time work that is not related to their duties or to work in highly dangerous conditions.

One-time instruction is conducted by the responsible supervisor of the work (foreman, work executor, site manager, etc.) and formalized in the “Journal of recording the conduct of instruction to the personnel at the workplace” and in the assignment permission sheet.

All workers involved in conducting technological processes, repairing, adjusting, testing and servicing devices and equipment, as well as working with hazardous and harmful substances, must learn safe working methods in the appropriate manner after initial instruction at the workplace, before being allowed to work freely, by checking their knowledge.

Note. Workers with a certificate of appropriate training should first undergo initial training at the workplace, and after their knowledge is checked, they should be released to work.

Workers should receive vocational training (theoretical and practical) in a specified form according to an approved program.

If during the re-inspection the worker's knowledge is again assessed as insufficient, the workshop management must decide on his/her release from work.

Periodic verification of the worker's knowledge is carried out once a year, in the same manner (according to the schedule) as the initial verification of knowledge, using the same tickets and protocols.

Unscheduled verification of the workers' knowledge is carried out when the production (technological) process changes, when new equipment and mechanisms are introduced, when new safety rules and norms, new instructions for the safe conduct of work are introduced, when violations of the requirements of safety rules and instructions that led to an accident or incident are detected, by order or order of the enterprise management, by order of higher organizations, when it is revealed that the worker's knowledge is insufficient, at the request of state control bodies and technical supervisors of the Trade Union, when transferred to another job or after a 6-month break.

Organization and conduct of training of engineering and technical workers. All engineering and technical workers (ETP) hired at the enterprise, regardless of their length of service and the nature of the production, must undergo an introductory instruction on safe work.

ETPs of external organizations performing various works at the facilities and workshops of the enterprise must also undergo an introductory instruction.

The introductory instruction is conducted in order to familiarize engineering and technical workers hired at the enterprise, primarily work managers (foremen, executives, field chiefs), with the main issues of organizing work on labor protection at the enterprise, the purpose and working conditions of individual facilities, workshops and the enterprise as a whole, their responsibilities for ensuring safe working conditions, and with guiding documents on labor protection (rules, norms, standards, instructions, orders, instructions, etc.).

The introductory instruction at the ETP is conducted according to a program developed by the enterprise's labor safety service and approved by the chief engineer.

In addition to introductory instruction, in-place instruction should also be conducted for foremen hired at the enterprise and transferred from one position to another.

The head of the shop (service, department) conducts the training of foremen, executors, and work managers at the workplace. At this time, the foremen, executor must familiarize themselves with the conditions of production, methods of proper and safe organization of work, instructions, rules, and specific tasks that are important in the work process.

Periodic training with MTI is not conducted at the workplace. If necessary, they are given extraordinary or one-time training on various current issues (before the performance of work with the task-permit, by order of higher organizations, by order and decree of the enterprise management). The direct managers of all work performed (foremen, executors), heads of shops, services, and other production units must undergo appropriate training on labor protection issues before being allowed to work or at a time determined by the order of the enterprise manager, and their knowledge of safety requirements must be checked.

Training with MTI on labor protection issues is carried out, as a rule, in a group manner according to a program developed by the head and leading specialists of the enterprise and approved by the chief engineer of the enterprise. MTI can undergo individual training under the direct supervision of their managers.

All engineering and technical workers newly appointed to a position or transferred to another position at enterprises must undergo appropriate training on labor safety issues, and their knowledge of safety requirements must be checked.

The initial test of the knowledge of managers and engineering and technical workers of unions, departments and enterprises, heads of production departments, chief specialists and leading engineers is carried out within the period determined by the management of the enterprise, union, no later than one month from the date of their appointment to the position.

The initial test of the knowledge of foremen, executors, and direct supervisors is carried out before they are allowed to work independently.

In necessary cases (for example, in the operation of electrical installations), in addition to undergoing training in a certain manner, individual engineering and technical workers must undergo an internship for a period determined by the management of the enterprise in accordance with the requirements of the current regulations before being allowed to work independently.

The knowledge of the following persons is periodically checked:

- foremen, work executors, field, facility, geophysical parties and other direct work managers - annually;
- heads of enterprises and their structural divisions, heads of departments, heads of services, chief specialists and other engineering and technical workers - once every 3 years;
- general directors, managers, heads of departments and enterprises, their deputies, heads of labor protection and safety services - once every 5 years.

The knowledge of the management team and the MTI is carried out annually according to a schedule.

4.6. Ensuring the safety of facilities

The design, construction and reconstruction of production buildings and facilities that do not comply with labor protection standards, rules and norms, and safety requirements, as well as the preparation and commissioning of production facilities, are not allowed.

Projects of enterprises and production facilities must undergo state expertise.

Upon the requirements of the Cabinet of Ministers of the Republic of Azerbaijan, the Ministry of Labor and Social Protection of the Population (through the State Labor Inspectorate), the State Agency for Safe Work in Industry and Mining Supervision and other central executive bodies, the customer or executor must organize an independent expertise at his own expense by involving relevant organizations and specialists in order to determine the compliance of the project or test sample with the requirements of labor protection and safety requirements.

The use of harmful substances, raw materials, and materials that have not passed technological, fire-technical, sanitary-hygienic, medical-biological expertise and other types of control in order to determine their impact on human health is prohibited.

Any new or reconstructed enterprise, facility, or production facility shall not be put into operation without a certificate-passport issued by the State Labor Inspectorate in the prescribed manner.
Newly constructed or reconstructed production, social-household, and catering facilities shall be put into operation with the consent of the State Labor Inspectorate.
The operation of enterprises or production facilities that do not comply with labor safety requirements and pose a threat to the health or life of employees shall be suspended by the State Labor Inspectorate in the prescribed manner until they are brought into compliance with labor safety requirements.
Trade unions shall exercise control over the employer's compliance with labor protection rules and relevant regulatory legal acts within the framework of the rights provided for in the Law of the Republic of Azerbaijan "On Trade Unions".
Trade unions shall participate in the preparation and coordination of regulatory acts on labor protection in the prescribed manner, and shall object through relevant state bodies against the entry into force of acts not coordinated with them.
Representatives of trade unions participate in the work of state commissions for testing and commissioning of production facilities and equipment, in the investigation of accidents in production, in inspections to improve the labor protection situation, and in the implementation of measures provided for in collective agreements.
In case of violation of labor protection requirements by officials, in case of concealment of accidents in production, trade unions have the right to file a petition with state bodies to hold the guilty persons accountable.
In case of direct danger to the health and life of employees, as well as in case of non-compliance with labor protection legislation by the employer, the trade union must raise the issue of taking appropriate measures with the State Labor Inspectorate.
Trade unions exercise control over labor protection norms and rules established by the Labor Code, as well as other regulatory legal acts.

4.7. Regulation of labor protection of women and workers under the age of 18

The Cabinet of Ministers of the Republic of Azerbaijan shall approve the list of industries, professions (positions) with harmful and difficult working conditions, as well as underground work, where the use of women's labor is prohibited.

It is prohibited to use the labor of persons under the age of 18 in workplaces with difficult and harmful working conditions, in underground tunnels, mines and other underground work, as well as in night clubs, bars that have a negative impact on the development of moral integrity, including in the production, transportation, sale and storage of alcoholic beverages, narcotic drugs and toxic preparations.

Women and men aged 16 to 18 are allowed to manually lift and carry objects with a total weight of no more than 15 kilograms to another place, as well as to lift objects with a total weight of no more than 10 kilograms to a height of more than one and a half meters.

Women aged 16 to 18 may be allowed to lift and carry objects weighing no more than 10 kilograms by hand, as well as to lift objects weighing no more than 5 kilograms to a height of more than one and a half meters.

The labor function of women and employees aged 16 to 18 may include, on a regular basis, during the entire working day (work shift), only lifting and carrying objects weighing no more than 10 kilograms by hand and carrying objects using a wheeled cart that does not require the use of more than 15 kilograms of force.

It is prohibited to involve girls under the age of 16 in lifting and carrying work on a regular basis during the entire working day.

As a rule, it is not allowed to employ persons under the age of 15.

Persons under the age of 18 are admitted to work only after undergoing a medical examination, and they must undergo mandatory medical examinations annually at the expense of the employer until they reach the age of 18.

Shortened working hours are determined for individual categories of employees, taking into account their age, health, working conditions and other circumstances. The duration of shortened working hours per week should not exceed 24 hours for employees under 16 years of age, and 36 hours for employees from 16 to 18 years of age, as well as for pregnant women and women with children under one and a half years of age.

4.8. Labor protection services and supervision at enterprises

In order to organize labor protection work and monitor compliance with the requirements of labor protection legislation, labor protection services are established in all sectors of the economy when the number of employees exceeds 50 people.

The labor protection service includes specialists who are well versed in labor legislation and labor protection standards. An industrial sanitary laboratory is organized in enterprises employing more than one thousand people, and the position of a doctor for labor hygiene is established. In enterprises employing more than fifty people, the position of an engineer for labor protection is established, and if the number of employees exceeds five hundred people, the position of a deputy head (chief engineer) for labor protection is established.

The specialists of the specified service have the right to monitor compliance with labor protection rules and norms, to issue mandatory instructions to officials to eliminate detected violations, as well as to submit proposals to the employer to bring persons who violate labor protection legislation to disciplinary responsibility.

Labor protection service specialists cannot be involved in the performance of work that is not related to their duties. They are held liable for failure to perform their duties properly and qualitatively in accordance with the procedure established by law.

The employer may reorganize or liquidate the labor protection service only with the consent of the body exercising state control over compliance with labor legislation.

State control over the implementation of labor protection norms, rules, as well as the requirements of regulatory legal acts on labor protection at enterprises, and compliance with labor legislation is carried out by the State Labor Inspectorate of the Ministry of Labor and Social Protection of the Population.